

ALLEGED SHIPMENT: On or about April 1, 1948, from the State of Ohio into the State of Pennsylvania.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect fragments, rodent hair fragments, and rodent excreta fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 21, 1949. A plea of guilty having been entered, the defendant was fined \$250 and costs.

14389. Adulteration and misbranding of creamed cottage cheese. U. S. v. Cloverleaf Dairy. Plea of nolo contendere. Fine, \$100. (F. D. C. No. 25571. Sample Nos. 28799-K, 28981-K.)

INFORMATION FILED: September 9, 1948, District of Utah, against the Cloverleaf Dairy, a corporation, Salt Lake City, Utah.

ALLEGED SHIPMENT: On or about May 13 and 14, 1948, from the State of Utah into the State of Nevada.

LABEL, IN PART: "Cloverleaf Creamed Cottage Cheese 16 Oz."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the article.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for creamed cottage cheese since it contained less than 4 percent by weight of milk fat, the minimum milk fat permitted by the standard for creamed cottage cheese.

Further misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents (the article was short-weight); and, Section 403 (e) (1), it failed to bear a label containing the place of business of the manufacturer, packer, or distributor.

DISPOSITION: October 1, 1948. A plea of nolo contendere having been entered, the court imposed a fine of \$100.

MISCELLANEOUS DAIRY PRODUCTS

14390. Adulteration of ice cream, ice cream mix, and butter. U. S. v. Akron Creamery Co. and Otto C. Larsen. Pleas of guilty. Fine of \$450 and costs against company and \$30 against individual. (F. D. C. No. 25336. Sample Nos. 24350-K to 24352-K, incl., 24403-K to 24405-K, incl.)

INFORMATION FILED: November 12, 1948, Northern District of Iowa, against the Akron Creamery Co., a partnership, Akron, Iowa, and Otto C. Larsen, a partner.

ALLEGED SHIPMENT: On or about September 11 and 13, 1947, and June 5, 1948, from the State of Iowa into the States of South Dakota and Nebraska.

LABEL, IN PART: "Sunnyside Creamery Butter," "Chocolate Chip," "Sunnyside Ice Cream Vanilla [or "Raspberry Marvel"]," "Quality Ice Cream Chocolate."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of insect fragments, manure fragments, rodent hairs, a cow hair, a feather fragment, insects, insect eggs, and moldy fruit pulp; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

Further adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the butter; and, Section 402 (b) (2), a product

which contained less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: March 22, 1949. Pleas of guilty having been entered, the court imposed a fine of \$450 and costs against the company and a fine of \$30 against the individual.

14391. Adulteration of cream. U. S. v. 1 Can * * * (and 5 other seizure actions. (F. D. C. Nos. 27032 to 27035, incl., 27255, 27256. Sample Nos. 29293-K, 29668-K, 49060-K, 49913-K, 49919-K, 49920-K.)

LIBELS FILED: February 28 and March 15 and 23, 1949, District of Colorado.

ALLEGED SHIPMENT: On or about February 22 and March 1, 12, 19, and 20, 1949, by S. B. Baker, from Wallace, Nebr.; Bessie Knight, Benkelman, Nebr.; Louie & Milt Produce Co., Goodland, Kans.; the Soukup Produce Co., Ellsworth, Kans.; Cox Produce, Colby, Kans.; and Vandruff Smiley, Broadwater, Nebr.

PRODUCT: 7 10-gallon cans of cream at Denver, Colo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy, decomposed, and putrid animal substance. Samples taken from the various shipments contained one or more of the following types of filth: Rodent hairs, feather barbules, part of a rodent excreta pellet, nondescript dirt, rodent-like hairs, hairs resembling those of a cat, and a whole mouse.

DISPOSITION: March 3 and April 18 and 26, 1949. Default or consent decrees of condemnation and destruction.

14392. Adulteration and misbranding of oleomargarine. U. S. v. 14 Cases * * *. (F. D. C. No. 26551. Sample No. 20452-K.)

LIBEL FILED: February 18, 1949, Southern District of Iowa.

ALLEGED SHIPMENT: On or about January 22, 1949, by the Cudahy Packing Co., from Omaha, Nebr.

PRODUCT: 14 cases, each containing 24 1-pound cartons of oleomargarine at Council Bluffs, Iowa.

LABEL, IN PART: "Cudahy's Delrich E-Z Color Pak Vegetable Oleomargarine Net Weight One Pound."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 80 percent fat had been substituted for oleomargarine.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for oleomargarine since it contained less than 80 percent of fat.

DISPOSITION: April 1, 1949. Default decree of condemnation. The product was ordered delivered to a charitable institution.

EGGS

14393. Adulteration of frozen whole eggs. U. S. v. 137 Cans * * *. (F. D. C. No. 26577. Sample No. 5643-K.)

LIBEL FILED: February 9, 1949, District of Massachusetts.

ALLEGED SHIPMENT: On or about July 2, 1948, by Selby Produce Co., Inc., from Burlington, Iowa.

PRODUCT: 137 30-pound cans of frozen whole eggs at Boston, Mass.